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Office of the Secretary
Federal Communications Commission
1919 M Street N.W.
Washington D.C. 20554
RE: Comments on Petitions to Reconsider

June 17, 1997

RE: Comments on Petitions to Reconsider CC Docket 95-155/Report No. 97-123

To whom it may concern:

You may find this letter refreshing after the bombardment of legal mumbo jumbo sent your way with regards to reconsidering the above law.

My name is John Musser. I'm an American entrepreneur.

After reviewing what we hope you've read, I thought I'd confirm my two-cents worth in English.

A few facts:

- Looking into the future, with regards to businesses that I invent, and knowing that the subsequent toll free area codes are not as appealing as 888, I have acquired a few numbers for my possible future businesses (if everything goes right).
- I currently have a small business venture employing three toll free numbers. One as a marketing front-end, one for business contacts, and the last for clients to check misc. information.
- Your new ruling has made me illegal X 2 !!

The reviewed responses referenced above were detailed in the exact issues concerning us. You should have no problem seeing this. I won't bother with repetitive legalese. I will, however, summarize my comments on these petitions, very simply, using only common sense.

With regards to the purpose of FCC intervention:

-- We agree, there is no shortage of toll free numbers. There is, however, a shortage of excellent toll-free numbers. There are enough slated area codes for the next 500 years. We are already prepared for 877 next April, correct?

-- They are sound in mentioning that we will be billed for the cost of implementation. Telephone companies will also benefit from providing the service for years to come. It's an investment.

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ABODE

MCI and AT&T both spend 500 million annually whining over one cent per minute? Maybe if they put that towards free political air-time instead, it wouldn't cost a fortune to be a public servant, and we wouldn't have pitiful gridlock as a result of always voting for reelection funds.

With regards to the result of intervention:

-- Yes, toll free numbers are a marketing and general business tool. They are worth what the end-user thinks they're worth. Just like art. Even phone companies buy and sell numbers as needed. **The ruling has made it illegal for anybody to acquire a specific number worth money to them.** Nobody will relinquish control of a phone number, free! They have an investment in their number! It's a little something that makes this country great...called Capitalism.

-- Correct is the fact that the litigation will employ another 50,000 attorneys. You thought lawsuits were overwhelming now! Just wait until a RespOrg takes away 1-800 INET DOTS from the small entrepreneur and keeps it for themselves!

-- We agree that the ambiguous verbiage forces the following scenario. RespOrg is panicked by fines into randomly terminating toll free services. Business end-user loses business phone number. End-user must fight, exposing confidential information, and with legal expense, to retrieve it. End-user goes out-of-business without a fight. Personally, I can't afford to fight or lose my marketing front-end.

-- The discussed fact that this ruling conflicts with the Small Business Regulatory Flexibility Act is in fact, fact! There are no opinions if you don't present an argument.

-- We agree with the discussion that this ruling conflicts with the Telecommunications Act of 1996 regarding, but not limited to "number portability", plural "numbers" and that "proprietary network information" must be kept strictly confidential [Title 47 U.S.C. section 222 (f)(A)].

-- No regulations shall be a detriment to the entrepreneurial spirit intended with this Act.

-- The "legitimate use" verbiage (to name only one) is truly unfair, unconscionable, and void for its vagueness.

-- The "routing multiple toll free numbers to a single subscriber..." assumes hoarding and brokering language is unbelievably vague causing immeasurable confusion - even in the Telemarketing Service Bureau industry.

-- Correct is the fact that there are relatively no definitions of key aspects.

-- We believe that it is incomprehensible that this is assumed retroactive legislation.

With regards to the process of intervention:

-- Agreeing, your ruling has affected every individual planning a business and almost every existing business. You realize, 99% of the country has no clue what you've done. Let me say that again. 99% of the country has no clue that they may be illegal too. Everybody has a personal toll free number thanks to MCIONE, etc... The mentionings of insufficient notice under the Small Business Regulatory Flexibility Act are an understatement in that American business has no opportunity to express their views on this law. I double-dare you to force RespOrgs to include this ruling AND its affects in next month's billing.

-- The Advisory Board to the FCC seems to have nothing available with regards to these specific FCC actions?!?!?

-- The Act of 1996 prohibits any damaging behavior affecting telecom competition. You've affected everybody.

In Summary:

Real Estate is a resource which is **truly limited**. As a direct comparison, should we soon expect it to be illegal to buy and sell property for future use? Is it illegal in this country for me to purchase land that makes me money if we harvest our wheat properly?

It seems quite ironic that the FCC feel obligated while 375,000 of the most popular vanity numbers **RESPONSIBLE FOR THIS MESS** are reserved for auction purposes. Perhaps it was five or six Fortune 500 companies (interested in acquiring other particular vanity numbers) who *lobbied* to involved the FCC?!? You wouldn't mind if we asked for the complete list of those that have influenced you so greatly. I'm sure many would like to watch every move they make!

I am not an attorney. But, I have read my share of legalese. In all my related experiences, and knowing that so much mumbo jumbo specifics are purposely written into law, I have never seen such a vague, frivolous attempt that is so comprehensive...and, in purpose, so incomprehensible!

We feel that the crap will hit the fan, sooner or later. Since only 1% know about this currently, we would hope that your panel can, as well, look into the future and save 99% from unexpected business phone number disaster, make the aware proud, give back the opportunity to obtain *property* (e.g., 888 XYZ AUTO CO), and tell those six Fortune 500 companies to kiss-off !!

Sincerely,

A handwritten signature in black ink, appearing to read "John Musser", with a stylized flourish at the end.

John Musser
American